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January 26, 2024

VIA ECF

The Honorable Judge Dale E Ho
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Mbaye et al v. RCI Hospitality Holdings, Inc. et al*
Case No. 1:23-cv-02967(DEH)

Dear Judge Ho:

We represent Defendants RCI Hospitality Holdings, Inc., Peregrine Enterprises Inc., RCI 33rd Ventures, Inc., 48 West 33rd Street Corp., RCI Dining Services (37th Street), Inc., Eric Langan, and Kes Senevi (collectively “Defendants”) in the above-captioned matter. We write jointly with Plaintiffs to advise the Court that the parties have agreed in principle to the parameters of a notice process pursuant to the Fair Labor Standards Act, 29 U.S.C. § 216(b).

The parties propose a deadline of February 9, 2024 to file a joint letter setting forth the details of the conditional collective certification, including method and timing of notices, as well as agreed-to notices. In light of the parties' agreement, the parties request that the briefing schedule for Plaintiffs' conditional certification motion be held in abeyance pending submission to the Court and the Court's approval of the conditional collective certification notices.

Thank you for your consideration of these requests.

Respectfully Submitted,

/s/ Jeffrey A. Kimmel
Jeffrey A. Kimmel
Partner
For the Firm

cc: Plaintiffs' attorney (via ECF)